

Appl. No. 10/749,337
Amdt. Dated November 8, 2007
Reply to Office Action of September 21, 2007

REMARKS

Claims 1-16 remain as previously filed on June 28, 2007.

Claim Rejection - 35 USC §112

Claims 9-11 are rejected under 35 U.S.C 112, first paragraph, as failing to comply with the written description requirement. Examiner indicates that the language in lines 6-10 of claim 9 does not find support in the present specification and drawings. More specifically, the Examiner contends, Figures 1 and 2 do not teach each of the equilateral hexagon units having six carbon atoms and six lithium ions where each of the six carbon atoms are located at one of the six vertexes of the equilateral hexagon unit while the six lithium ions are intercalated in a center of the equilateral hexagon unit.

In response, keeping in mind the comments offered by the Examiner, Applicants hereby traverse the rejections thereof, as follows.

Looking at the marked-up versions of FIG. 1 and a section of FIG. 2, provided below, a mode of description in claim 9 can be understood. One equilateral hexagon unit is expressly shown in the drawings. Each equilateral hexagon unit is defined with six carbon atoms (denoted with numeral 2). Six lithium ions (denoted with numeral 3) are intercalated in a center of the equilateral hexagon unit (with the lithium ions being illustrated within a rectangle). In particular, one respective lithium ion is located at an apex of each corresponding triangular unit, with six such apexes meeting at the center of a given hexagon unit. Therefore, according to above explanation, Applicant submits that Paragraphs [0012] and [0013] are consistent with claim 9.

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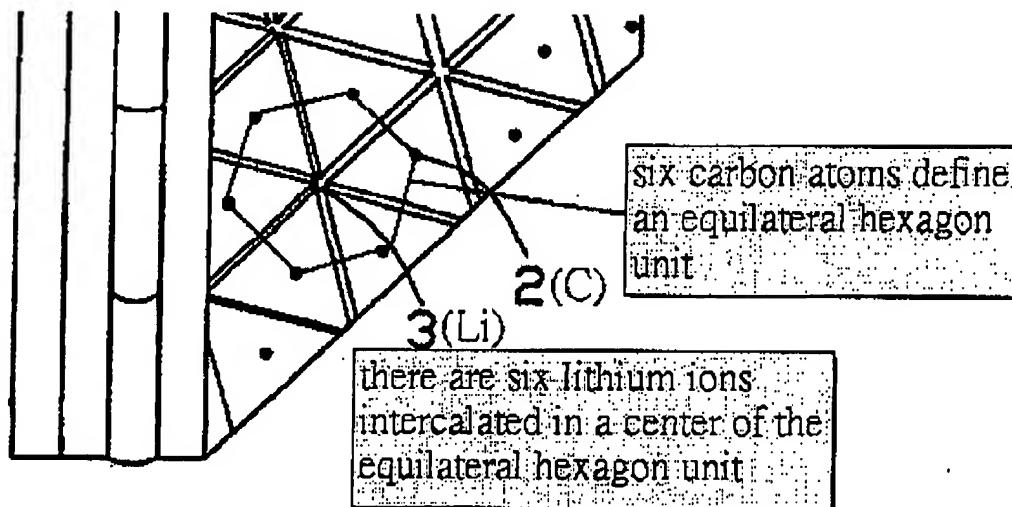


FIG. 1

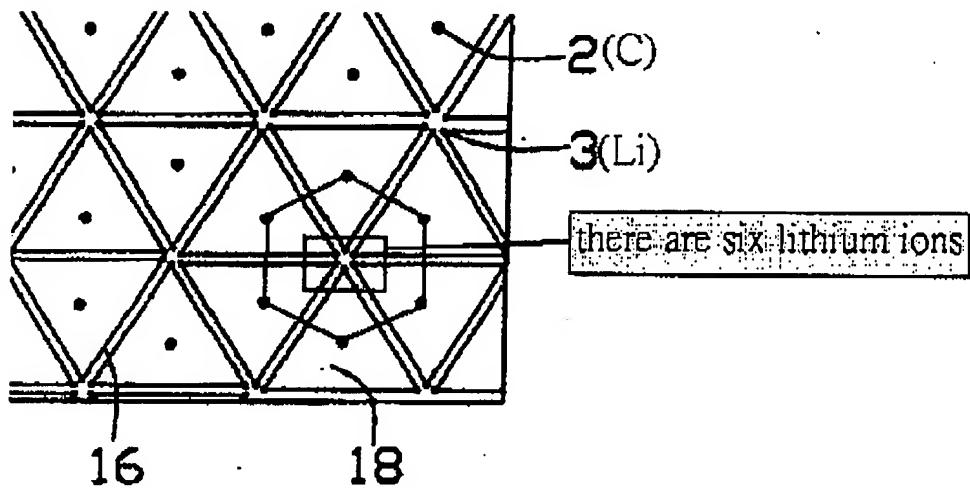


FIG. 2

To expand the explanation, Paragraph [0013] of the original specification discloses "...each molecular layer 14 comprises a plurality of equilateral hexagon units. Each equilateral hexagon unit has six carbon atoms located at six vertexes thereof respectively, and six lithium

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ions intercalated therein...". Therefore, referring to FIGS. 1 and 2, the language in lines 6-10 of claim 9, as previously filed, can be found support within the specification (e.g., Paragraph [0013]). Therefore, Applicants submit that independent claim 9 complies with the written description requirement and is in allowable form.

Additionally, in the molecular layer 14, because of chemical bonds among carbon atoms and lithium ions, the carbon atoms and lithium ions can be stably distributed in the molecular layer 14 according to a definite configuration. However, the definite configuration formed by the carbon atoms and lithium ions can be described in a variety of ways. For example, on one hand, as viewed from the lithium ions, three lithium ions define an equilateral triangle unit while a carbon atom is at a center of the equilateral triangle unit. This manner of description is specifically set forth in Paragraph [0012] and FIG 1 and 2. On the other hand, as viewed from the perspective of the carbon atoms, six carbon atoms define an equilateral hexagon unit, while six lithium ions are intercalated in a center of the equilateral hexagon unit, as claimed in claim 9, as previously filed.

Although this means of description may not, arguably, expressly be shown in FIG. 1 and 2, one skilled in the art, in fact, can reasonably conclude this mode of description from FIGS. 1 and 2. An objective standard for determining compliance with the written description requirement is, "does the description clearly allow persons of ordinary skill in the art to recognize that he or she invented what is claimed?" (MPEP §2163.02) A rewording of a passage where the same meaning remains intact is permissible. (MPEP §2163.07) Therefore, the language in lines 6-10 of claim 9, as previously filed, can be further concluded from the FIGS. 1 and 2, as well as Paragraphs [0012] and [0013].

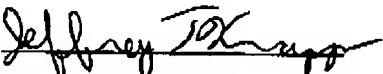
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Claims 10-11 depend directly or indirectly from claim 9, and therefore are also in allowable form. Therefore, withdrawal of the rejections of claims 9-11 is requested respectfully.

Allowable Subject Matter

The Examiner has indicated that claims 1-8 and 12-16 are allowable, for which courtesy the Examiner is thanked.

Respectfully submitted,
Ga-Lane Chen et al.

By 
Jeffrey T. Knapp

Registration No.: 45,384
Foxconn International, Inc.
1650 Memorex Drive
Santa Clara, CA 95050
Tel. No.: 714/626-1229